

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

DONALD G. WHEELER,)	
)	
Plaintiff)	
)	
vs.)	No. CIV-08-94-C
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security)	
Administration,)	
)	
Defendant)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for judicial review of the Commissioner's denial of disability insurance benefits was referred for initial proceedings to United States Magistrate Judge Gary M. Purcell consistent with 28 U.S.C. § 636(b)(1)(B). Judge Purcell entered a Report and Recommendation on January 30, 2009, recommending that the decision of the Commissioner be affirmed. Plaintiff, through counsel, has timely filed an objection to this report, and the Court therefore considers the matter de novo.

In his thorough and well-reasoned Report and Recommendation, Judge Purcell sets out the relevant facts and prevailing law, and no purpose would be served to repeat those here. In objection, Plaintiff merely restates the conclusions and legal argument originally asserted, and raises no issue not fully and accurately addressed by Judge Purcell. This Court

agrees the decision of the Commissioner applied appropriate legal standards and is supported by substantial evidence.

Accordingly, the Court adopts and affirms, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons stated therein, the decision of the Commissioner in this case is affirmed. A judgment will enter accordingly.

IT IS SO ORDERED this 17th day of February, 2009.



ROBIN J. CAUTHRON
United States District Judge